

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 MARK HUNGERFORD,

No. CIV S-04-1455-LKK-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 HEROUX, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to
19 Local Rule 72-302(c)(21).

20 On September 29, 2006, the magistrate judge filed findings and recommendations
21 herein which were served on plaintiff and which contained notice to plaintiff that any objections
22 to the findings and recommendations were to be filed within ten days. Plaintiff has not filed
23 objections to the findings and recommendations.

24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and by the magistrate judge's analysis.

26 ///


Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 29, 2006, are adopted in full;

2. This action is dismissed, without prejudice, for lack of prosecution and failure to comply with court rules and orders; and

3. The Clerk of the Court is directed to enter judgment and close this file.

DATED: October 31, 2006.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT